

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN MARVIN OLD CHIEF,

Defendant.

CR-16-38-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on July 22, 2021. (Doc. 49.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on July 21, 2021. (Doc. 45.) The United States accused Old Chief of violating his conditions of supervised release by failing to report for substance abuse treatment. (Doc. 42.)

At the revocation hearing, Old Chief admitted to violating the conditions of his supervised by failing to report for substance abuse treatment. (Doc. 45.) Judge

Johnston found that the violation Old Chief admitted proved to be serious and warranted revocation, and recommended that Old Chief receive a custodial sentence of 6 months with 28 months of supervised release to follow. (Doc. 49.)

Old Chief was advised of his right to appeal and his right to allocute before the undersigned. (Doc.45.) The violation prove serious and warrant revocation of Old Chief's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 49) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant John Marvin Old Chief be sentenced to the custody of the United States Bureau of Prisons for 6 months, with 28 months of supervised release to follow.

DATED this 9th day of August, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court